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NASA Procedural Requirements

COMPLIANCE IS MANDATORY

NPR 3713.2

Effective Date: May

08, 2009

Expiration Date: May

08, 2014

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Subject: Alternative Dispute Resolution for Discrimination Complaints

Responsible Office: Office of Diversity & Equal Opportunity

| [TOC](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [Chapter3](#) | [Chapter4](#) | [AppendixA](#) |
[AppendixB](#) | [AppendixC](#) | [ALL](#) |

Appendix A. Definitions

A.1 Aggrieved Individual — Refers to an individual who alleges a harm with respect to a term, condition, or privilege of employment at the informal stage of the EEO process.

A.2 Alternative Dispute Resolution (ADR) — A method of resolving workplace disputes without a legal determination by a court or an administrative body. At NASA, ADR will normally take the form of mediation.

A.3 Complainant — An individual who has filed a formal EEO complaint.

A.4 EEO ADR Management Team — A group of individuals to whom a Center Director has delegated authority to explore resolution options dealing with potential or actual disputes of an individual or organizational nature.

A.5 Formal Complaint Process — A regulatory procedure for addressing allegations of discrimination, which consists of: the filing of an EEO complaint; the acceptance/dismissal of a complaint; the investigation of the accepted claim(s); and the election of either an EEOC hearing or an Agency Final Agency Decision (FAD).

A.6 Informal or PreComplaint Process — A regulatory procedure for addressing allegations of discrimination prior to the filing of a formal EEO complaint.

A.7 Management representative — A senior management official to whom the Center Director or other appropriate management official has delegated authority to engage in mediation.

A.8 Mediation — A voluntary and confidential process in which an impartial third party assists disputants in finding a mutually acceptable solution to their dispute.

A.9 Mediator — A third party neutral who facilitates discussions between parties to a dispute in an effort to reach a mutually acceptable resolution.

A.10 Neutral — An EEO ADR service provider such as a mediator, facilitator, or ombudsman.

A.11 Responsible Official — An Agency official who has been identified as allegedly being responsible for the matters raised by the Complainant.

A.12 Settlement Official — A senior Agency representative who has been delegated authority to enter into an agreement that is binding on the Center and Agency.

| [TOC](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [Chapter3](#) | [Chapter4](#) |
[AppendixA](#) | [AppendixB](#) | [AppendixC](#) | [ALL](#) |

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